



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re PATENT APPLICATION OF

ENGEL et al.

Group Art Unit: 1617

Appln. No.: 09/523,455

Examiner: S. JIANG

Filed: March 10, 2000

Title: METHOD FOR A PROGRAMMED CONTROLLED OVARIAN STIMULATION  
PROTOCOL

#13  
HKO  
11/19/02

November 7, 2002

\* \* \* \* \*

AMENDMENT PURSUANT TO UNDER 37 C.F.R. § 1.116

Hon. Commissioner of Patents  
**BOX AF**  
Washington, D.C. 20231

Sir:

This is in response to the final official action dated May 7, 2002, wherein the claims were again rejected under 35 U.S.C. §103(a). The applicants respectfully traverse in view of the following remarks.

REMARKS

Preliminary Remarks

This response is timely filed as it is accompanied by a petition for an extension of time to file in the third month and the requisite fee.

This response is also accompanied by a notice of appeal to preserve the applicants' right, should the examiner maintain the present rejection of the claims.

On page 2 of the official action, the examiner referred to the applicants' previous response as filed on February 28, 2002. The applicants submit that the response referred to by the examiner was timely filed on October 25, 2001 (applicants are in possession of a receipt stamped by the OIPE, dated October 25, 2001).